

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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CONSTANCE E. HADDAD,

Plaintiff,

v.

ADECCO USA. and AMERICAN  
CANCER SOCIETY,

Defendants.

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Case No. 5:04-CV-220

Hon. Richard Alan Enslen

**ORDER**

Plaintiff Constance E. Haddad<sup>1</sup> has appealed the Judgment against her and has sought permission to proceed *in forma pauperis* on appeal. Under 28 U.S.C. § 1915(a)(3), the Sixth Circuit Court of Appeals' decision in *Callihan v. Schneider*, 176 F.3d 800, 803 (6th Cir. 1999) and Federal Rule of Appellate Procedure 24(a), the district court is required to assess both a plaintiff's indigence and the good faith nature of the appeal upon the filing of a request for *in forma pauperis* motion.

Upon review of Plaintiff's Affidavit, the Court does conclude that Plaintiff is indigent because she is currently receiving public assistance and does not otherwise have funds to pay a filing fee or court costs. However, as to the requirement that the appeal be filed in "good faith," Haddad does not meet this requirement because the summary judgment record was wholly insufficient to establish any violation of a federal statute. *See* Op. of Dec. 29, 2005. As such, the motion will be denied. This denial does not, however, prevent Plaintiff from seeking permission from the Sixth Circuit Court of Appeals to proceed *in forma pauperis* on appeal. *See* Fed. R. Civ. P. 24(a)(4)-(5).

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<sup>1</sup>Plaintiff is a non-prisoner so the procedures described in *McGore v. Wrigglesworth*, 114 F.3d 601, 604 (6th Cir.1997) do not apply to her.

Plaintiff has also moved for the appointment of counsel, payment of copying and printing costs, and an injunctive order requiring Defendants to pay her monthly wage loss while the appeal is ongoing. None of these requests are justified given the baseless nature of the appeal.

**THEREFORE, IT IS HEREBY ORDERED** that Plaintiff Constance E. Haddad's Motion for Leave to Proceed *In Forma Pauperis* (Dkt. No. 83) is **DENIED**, including her request for payment of printing and copying, appointment of counsel and injunctive relief.

**IT IS FURTHER ORDERED** pursuant to 28 U.S.C. § 1915(a) that the Court certifies that an appeal of the Judgment of December 29, 2005 would not be taken in good faith.

Dated in Kalamazoo, MI:  
February 17, 2006

/s/Richard Alan Enslen  
Richard Alan Enslen  
Senior United States District Judge